

ASSAULT WEAPONS

In the past decade, shooters armed with assault weapons have wreaked havoc in our nation's public spaces, from movie theaters and schools to churches, festivals, and city streets. **These civilian versions of weapons designed for the military are intended to kill humans quickly and efficiently, enabling shooters to spray large amounts of ammunition quickly while retaining control of the gun.** In the absence of federal legislation regulating assault weapons, states must take it upon themselves to protect their residents from these deadly weapons.

States that Ban Certain Types of Assault Rifles

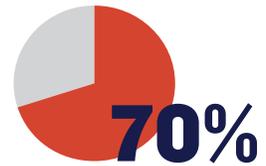


Seven states—**California, Connecticut, Hawaii, Maryland, Massachusetts, New Jersey, and New York**—and the **District of Columbia** ban at least certain types of assault weapons.

UPDATED AUGUST 2019



Assault weapons were used in the **seven** deadliest shootings in the past decade.



During the 10-year period the federal assault weapons ban was in effect, mass shooting fatalities were **70% less likely to occur** compared to the periods before and after the ban.¹

In several major cities, the share of recovered crime guns that were assault weapons **declined by at least 32%** after the federal ban was adopted.²



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67% of Americans—including half of all Republicans—support a ban on assault weapons.³

What Is an Assault Weapon?

In order to regulate the correct set of weapons, assault weapons laws should focus on the lethality that makes the firearm similar to weapons of war. A weapon's lethality depends for the most part on whether it lets the shooter fire many rounds quickly through the use of a large capacity magazine. Weapons of particular calibers can also defeat traditional body armor and leave devastating wounds, and some weapons are configured specifically to allow for rapid firing, alongside concealability and mobility.

Federal Assault Weapons Ban 1994–2004

Currently, assault weapons are not regulated at the federal level. Between 1994 and 2004, certain “semiautomatic assault weapons” were banned at the federal level by the Violent Crime Control and Law Enforcement Act of 1994. The 1994 act defined the phrase “semiautomatic assault weapon” to include 19 named firearms and copies of those firearms, as well as certain semiautomatic rifles, pistols, and shotguns with at least two specified characteristics from a list of features.⁴

The 1994 federal assault weapons ban suffered from several limitations that hampered its effectiveness. Most notably, it did not effectively regulate the sale or transfer of assault weapons manufactured before the ban went into effect. Manufacturers took advantage of this loophole by boosting production in the months leading up to the ban, creating a stockpile of assault weapons that were easily accessible after the ban took effect.

Absence of Current Federal Regulation

Rifles manufactured in other countries must be “generally recognized as particularly suitable for ... sporting purposes” in order for ATF to approve them to be imported. ATF has the authority to prevent most (if not all) assault weapons from being imported into the US. However, assault weapons manufactured in the United States are not regulated any differently than other firearms. This is in sharp contrast to federal policies regarding other particularly dangerous weapons.

Fully-automatic machine guns and other “destructive devices” are regulated under the National Firearms Act (NFA) originally passed in 1934 and updated in 1986. Under these laws, no new machine guns can be manufactured for civilian use, machine guns must be registered, and transfers of machine guns must be approved by the Bureau of Alcohol, Tobacco, Firearms and Explosives.

Machine guns are rarely used in crime. Regulating existing assault weapons in a similar manner would balance the rights of law-abiding gun owners with the need for increased restrictions on these lethal firearms.

UPDATED AUGUST 2019

For more details and underlying research, visit giffordslawcenter.org/assault-weapons

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280+

Lifesaving gun safety laws have been enacted in 45 states and DC since the tragedy at Sandy Hook.

136,000

Americans are shot each year—over one million in the past decade.

25X

Americans are 25 times more likely to be killed in a gun homicide compared to people in other high-income countries.

WE'RE ON A MISSION TO SAVE LIVES

For over 25 years, the legal experts at Giffords Law Center to Prevent Gun Violence have been fighting for a safer America by researching, drafting, and defending the laws, policies, and programs proven to save lives from gun violence. Founded in the wake of a 1993 mass shooting in San Francisco, in 2016 the Law Center joined with former Congresswoman Gabrielle Giffords to form a courageous new force for gun safety that stretches coast to coast.

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Assault Weapon Citations

1. Charles DiMaggio et al., “Changes in US Mass Shooting Deaths Associated with the 1994–2004 Federal Assault Weapons Ban: Analysis of Open–source Data,” *Journal of Trauma and Acute Care Surgery* 86, no. 1 (2019): 11–19.
2. Christopher S. Koper, Daniel J. Woods, and Jeffrey A. Roth, “An Updated Assessment of the Federal Assault Weapons Ban: Impacts on Gun Markets and Gun Violence, 1994–2003,” National Institute of Justice, US Department of Justice, June 2004.
3. “Gun Policy Remains Divisive, But Several Proposals Still Draw Bipartisan Support,” Pew Research Center, October 18, 2018, <https://pewrsr.ch/2P8uH5t>.
4. 18 U.S.C. § 921(a)(30) (as it appeared in 2004).